Rec 950 wds

Ms. Lewis

Desp No. 1017

Dated 1-4-50

'Despatch Abstract'

Land - Grant to political sufferers Sindh area
Permission to alienate the lands to Co-operative
Building Societies for construction of houses on the
lands - Modifications of conditions of Grant.
Report - Negatived

Revenue Department

Subject

Land - Grant to Political Sufferers - (South Kanara) - Modification of the special condition imposed in G.O.Ms.No.3102, Revenue dated 23-12-47 - Application of political sufferers of Moodushedde Co-operative Farm - Report - Submitted.

Reference B.1539/50-1. 15366

Station: Madras. Dated 7th March, 1950.

From

Sri A.F. Mascarenhas, I.A.S., Secretary, Board of Revenue.

Sri W.R.S. Sattianathan, I.C.S., Commissioner of Land Revenue.

..

Read: From the Collector of South Kanara Ref.C.No.1184/50-B.8. dated 22-1-50.

..

Reference:

Submitted to the Government.

(P) (R) 2. The same condition as is laid down in paragraph 3 of G.O.3102, Revenue dated 23-12-47 is contained in G.O.1523, Revenue dated 11-6-49. These lands are assigned to Political Sufferers for agricultural purposes and not to provide security for raising either money or a permanent residence. There is however, no objection to putting up a small house or hut on the land so that the assignee may reside there and attend to cultivation. The political sufferers in this case want that the rule be relaxed and that they may be permitted to offer the lands assigned to them as security to a house-building co-operative society to enable them to raise a loan and build houses. If this permission is granted, there is a danger that these assignees might be tempted to convert agricultural ex land into building sites. If the political sufferers are not prepared to accept the present conditions under which lands are assigned free to them in preference to so many others who need them for cultivation, they should not logically accept such assignments and no assignments should also be made to them.

for Secretary.

R.B.7-3.

To

The Secretary to Government,
Revenue Department with a copy of the Collector's letter in original and other enclosures.

B

2

R.[illegible]

South Kanara Collector's Office
Mangalore, dated 22-1-1950

[illegible] Syed Ahmed, B.Sc.,(Hons.),
[illegible] of South Kanara.

To

The Secretary to Government,
Revenue Department, Madras.

Through

The Secretary to the Board of Revenue,
Land Revenue and Commercial Taxes, Madras.

Sir,

Land - Grant to political sufferers - modification of the special condition imposed in G.O.Ms.No. 3102-Rev. dated 23-12-1947 - Application of political sufferers of Moodushedde Co-operative Farm - submitted.

B2
D/4

Enclosed is the application from some of the political sufferers who have undertaken to take up lands in Moodushedde village Mangalore taluk on a co-operative basis.

(P) 2. The special condition imposed in para 3 of G.O. Ms.No. 3102 Revenue dated 23-12-1947, that the land assigned to political sufferers should not be sold, mortgaged or alienated for a period of 10 years, does not allow the assignees to offer the land as security to any co-operative society for the purpose of getting loan. The applicants represent that without such security it would not be possible for them to obtain loan from any House building co-operative society, and put up houses on the land that will be assigned to them. They also say that on account of these difficulties they would not be able to bring the lands under cultivation and fulfil the object of the scheme.

3. The application was placed before the Non-Official Advisory committee on 16-1-1950 and it was resolved that the application be submitted to Government recommending the grant of the petitioners request. An extract from the resolution of the committee is enclosed. I recommend that

(P) the special condition imposed in para 3 of the G.O. referred above may be modified so as to enable the assignees to offer the land granted to them as security to any House Building Cooperative society.

Yours faithfully,

For Collector. B.2

Encl: Extract from the resolution dated 16-1-1950 of the Non official Advisory committee - Mangalore.

C.No. 1184/50

This is a petition from the political sufferers of Moodushedde Cooperative Farm addressed to the Chief Secretary to the Government of Madras requesting that they may be permitted to offer the land that will be granted to them as security to a House Building Cooperative society for the purpose of getting loan to build houses. According to the existing rules land should not be sold, mortgated or alienated for a period of 10 years.

/True copy/

V/22-2

for COLLECTOR.

To

The Secretary to the Board of Revenue,
Land Revenue and Commercial Taxes,
M a d r a s.

Enclosure to S.R. Collector's R.P.C.No.1184/50-18 dated ----

Sub:- Land - Grant to political sufferers - Modification of the special condition imposed in G.O.s.No. 3102-R dated 18-12-1947 - application of political sufferers of Koodushedde Cooperative Farm - submitted.

To,

The Chief Secretary,
Government of Madras,
M A D R A S.

Through
The Collector of South Kanara.
M A N G A L O R E.

Sir,

Sub;- Assignment of lands to Political Sufferers, Alienation condition - exemption in cases of offering these lands as security to House Building Co-operative Society requested.

We the undersigned political sufferers beg to represent the following for the consideration of the Government of Madras, - regarding conditions of assignment of lands to political sufferers.

We note that the lands are assigned on condition that they cannot be alienated for a period of ten years. We are of opinion that this is quite an essential condition to prevent these lands being grabbed by unscruplous persons from political sufferers, most of whom are likely to be in difficult circumstances without this condition, the very object of the scheme is likely to be defeated.

The lands assigned have however, to be brought under cultivation and most of the lands assigned being vacant waste lands it would be absolutely necessary that political sufferers should be enabled to put up residental buildings on part of the lands xx assigned to them. For; unless they have a house on the spot, no improvement could be advantageously effected on these lands. We do hope the Government would realise this necessity.

We do not suggest that the Government should pay Cash Grants or any such things. We are perfectly aware of the financial position of the Government. What we suggest is that such of the political sufferers as like to build houses on part of lands -- assigned to them should be enabled to avail themselves of the -- facilities providedby House Building Co-operative Societies, that is, a long term loan repayable in instalments. Political sufferers who are rich enough would be able to find money of their own accord. Others ought to be satisfied with III class houses, - costing not more than Rs 2500/- each.

House building Co-operative Societies do provide such loans to any member of the public as might join them. In the case of political sufferers however the difficulty would be that lands on which houses are to be built cannot,we believe, be offered as security to the loan along with the building to be put up as is done by others, for the land assigned to political sufferers cannot be alienated to others.

Hence our request is that the condition of assignment that lands should not be alienated for ten years should be modified to the extent that offering them as security to a House Building Co-operative Society for purpose of a loan to build houses should be permitted by the Government.

Without such exemption, which alone could provide to them the facilities generally given by House Building Co-operative Societies, many of the political sufferers would be unable to put up houses on these lands and hence would be unable to bring these lands under cultivation and the very object of the scheme will not be fulfilled.

If lands assigned now are to be cultivated at least partly during the rainy season of 1950, this matter should be treated AS URGENT.

We hope the Government would carefully consider this request and do the needful in the matter.

Any correspondence in the matter may be addressed to the first signatory, whose address is given.

Address:- H.Narayan Rao.
C.K.V.I.A.
Car Steet. Mangalore.

1.
2. N. Upendra Nayak
3. G. Madhava Prabhu
4 K. Ramanna Shetty.
5 [illegible]
6 [illegible]
7 [illegible] Baliga
8 [illegible]
9 [illegible]
10 - 4 - [illegible]
11 [illegible]
12 Prabhakar Shet Pillicheri Kar.
13 N. Ramanaya Baliga
14 P. Ananthe Shenoy.
15
16
17
18

(C.N. 1536 F/50)

Rev Distt.

Read:- From the political sufferers, Mudushedda Cooperative Farm petition dated nil.
From the Collr of South Kanara letter refe C.No. 1184/50-B8 dt 22-1-50.
From the Bd of Rev ref. B:1539/50 dt 7-3-50.

G.O. No. No 1017 dated 1.4.50

~~The Govt. are not prepared to comply with the request of the petitioners to grant the petition is rejected~~ involves a modification of the conditions of grant of land to poll sufferers. Their request cannot be complied with. The petn is rejected.

The Govt are not prepared to comply with the request of the petitioners. The petn is rejected

Sd/- 6/4/50

Dept Asst 4.4.50

Do. The petitioners
C/o. H. Narayan Rao
Advocate, Mangalore
Copy of the Collr of South Kanara
Copy to the Bd of Rev (R.R.)
S/Cs - 5.

GOVERNMENT OF MADRAS

7

(Abstract)

LAND - Grant to political sufferers (South Kanara) - Permission to alienate the lands to Co-Operative Building Societies for construction of houses on the lands - Modifications of conditions of grant - Request - Negatived.

- -

Revenue Department

G.O.Ms.No.1017 Dated 1st April 1950
Read the following:-

From the Political sufferers, Mudushedda Co-Operative Farm, Petition dated nil
From the Collector of South Kanara, Letter Ref. C.No.1184/50-B.S, dated 22nd January 1950
From the Board of Revenue, Reference B. 1539/50, dated 7-3-1950.

O R D E R:

The Government are not prepared to comply with the request of the petitioners. The petition is requested.

(By Order of His Excellency the Governor)

V. K. Rao,
Deputy Secretary to Government.

To the petitioners through the Board of Revenue
Copy to the Collector of South Kanara through the Board of Revenue
Copy to the Board of Revenue (Land Revenue)

(True copy)
Forwarded / By Order

aj/1.4 Superintendent.

(Abstract)

L.F. - Grant to political sufferers (South Korea) - Particulars of purpose on the lands - Imposition of conditions of grant - Imposition of purpose on the lands to Co-Operative Building Society - Restriction : Non-alienation - Lease - Cancelled.

- - - -

Cno. 15366/50.

Revenue Department

Land - Grant to political sufferers - (South Kanara Permission to alienate lands to Building Co-operative Societies for construction of houses - Modification of conditions of grant - Requested.

pp 4 Sq From the political sufferers, Mudushedda Co-operative Farm petition dated nil.

p2 q From the Collector of South Kanara letter ref.C.No.1184/50-B8 dated 22-1-50.

p1 q From the Board of Rveneu/ ref.B.1539/50 dated 7-3-50.

To U.S.

Please see the petition, the letter from the Colls of South Kanara and the Board's ref. in the Cf.

p2 q(R) 2. Under para 9(iii) of the generel instructions (R) regarding assignment of land issued in G.O.No.1523 Rev. dated 11-6-49, the land assigned should not be sold or otherwise alienated for a period of ten years from the date of grant on (L) pain of resumption. But in G.O.Ms.No.1567 Rev. dated 17-6-49, ~~the~~ political sufferers have been permitted to hypothecate the land to Govt. under the Land Improvement and Agriculturis Loans Act or to a Co-operative society consisiting only of politic sufferers and apply for loans to bring the lands assigned to them under cultivation. The petitioners have requested that the condiiton that the land should not be sold or otherwise alienated for 10 years may be modified and that they may be pp 4 Sq permitted to hypothecate the lands to House Building Co-operative Societies and build houses on part of the lands assigned to them so that they may have a house on the spot and effect improvements to the lands. The Collr. of South Kanara has p2 q recommended the request, but the Board of Revenue does not accept the recommendation for the reasosn/ mentioned in its p1 q refee. on p.1 cf.

ba no. b (2) 3. It is the intention of Govt. that only agricultural lands should be granted to political sufferers. If they are permitted to mortgage the lands and get loan for constructing buildings they will always prefer to select sites

P.T.O.

suitable for use as house sites. Moreover when a political sufferer who has no money mortgages the lands assigned to him as security to raise a loan to construct a house he will not be eligible to get any more money to reclaim the land and cultivate it. If political sufferers are allowed to raise buildings on the sites with the help of Govt. loan, other political sufferers who have money with them cannot be refused permission to build a house on the site. It appears that there is the possibility of the usefulness of the scheme being adversely affected by granting such permission. For orders whether for the reasons stated above and for the reasons mentioned by the Board the request of the ~~Committee~~ petitioners may be rejected.

pl cf.
-3/3/50

V 3.3.50
23/3/50

ER
23/3/50

D.S

DS
THM(LR)
H.C.M.

The Board's view may be accepted.

MKR
25/3/50

HM (LR)
HCM
28/3

To U.S.

Kindly see the note and orders in circulation at pp 1-2 above. A draft order is submitted for approval.

ER
1/4/50

31.3.50
31.3.50

Civ 25/3/50

SECRETARY TO GOVERNMENT
28 MAR 1950
REVENUE DEPARTMENT

DEPUTY SECRETARY TO GOVT.
2 MAR 1950
REVENUE